

REMARKS

Favorable reconsideration of this application for the reasons noted hereinafter is respectfully requested.

Claims 20, 22-25, and 27-31 are pending in this application, Claims 1-19, 21, and 26 having previously been cancelled without prejudice or disclaimer.

In the outstanding Office Action, Claims 20, 22-25 and 27-31 were rejected under 35 U.S.C. § 102(e) as unpatentable over Van Valer (U.S. Patent No. 6,714,209) in view of McFarland et al. (U.S. Patent No. 6,903,760; hereinafter "McFarland").

In response to the rejection under 35 U.S.C. § 102(e), Applicants respectfully submit that amended independent Claim 23 recites novel features clearly not taught or rendered obvious by the applied references.

Independent Claim 23 is directed to a system for performing processes used for generating printing data including, *inter alia*;

... a network capable client configured to locally control/perform said processes used for generating printing data on the basis of which a disk label is creatable; and

a network capable server configured to offer functionality directly usable and installable on said network capable client, wherein said functionality is adapted to locally control/perform said processes used for generating printing data on the basis of which said disk label is creatable, wherein said network capable client and said network capable server are connected with each other via a communication network, wherein said printing data are generated based on graphic data representing said disk label, wherein, in advance of finalizing said graphic data for said disk label, a disk label printing area is determined in dependence on a disk category and a disk type selected by a user, and wherein, during the process of generating said graphic data all instructions recognized as leading to the generation of printing data which cannot be assigned to the determined disk label printing area are blocked.

Van Valer does not teach or suggest "in advance of finalizing said graphic data for said disk label, a disk label printing area is determined in dependence on *a disk category and*

a disk type selected by a user, and wherein, during the process of generating said graphic data all instructions recognized as leading to the generation of printing data which cannot be assigned to the determined disk label printing area are blocked,” as recited in Applicants’ independent Claim 23.

Van Valer describes that a user-definition-to-XML module coordinates with an index sizing module to ensure that a user is not attempting to overload the capacity of the printable surface area on a CD. Van Valer further describes that calculation of the surface area required for each image and/or text label can be determined by computing the dimension of a bounding box that bounds each image and/or text label. In Van Valer, a bounding box for a text label is calculated based on the pre-existing and known dimensions of an image.¹ However, Van Valer does not describe that the printing area is determined in dependence on ***a disc category and a disc type selected by a user***. In Applicants’ amended independent Claim 23, the system automatically avoids generating unnecessary graphic data that would not fit on the CD/DVD label side of the CD/DVD.

Further, columns 4 and 5 of Van Valer merely describes different disk types such as CD, CD-R, CD-ROM, CD-RW, etc. and does not describe that a disk label printing area is determined depending on the particular disk type.

Page 3 of the outstanding Office Action cites McFarland as describing the blocking of printing data which cannot be assigned to the disk label printing area. However, McFarland fails to teach or suggest “during the process of generating said graphic data all instructions recognized as leading to the generation of printing data which cannot be assigned to the determined disk label printing area are blocked,” as recited in independent Claim 23.

Column 4, lines 11-13 of McFarland describe that “the user of computer 120 or printer 140, need not be concerned with the locations of grooves 320, 340, and 360 on the

¹ See Van Valer at column 2, line 66 to column 3, line 28.

layout of Figure 4 when printing the label.” In McFarland, grooves 220, 240, and 260 are only used to indicate a particular layout of the disk label. The locations of grooves 220, 240, and 260 do not block the generation of printing data which cannot be assigned to the disk label printing area. In fact, printing data can still be applied to regions outside of grooves 220, 240, and 260. Thus, McFarland does not teach or suggest that instructions recognized as leading to the generation of printed data which cannot be assigned to the determined disk label are blocked.

Accordingly, Applicants respectfully submit that independent Claim 23 and all claims depending therefrom are patentable.

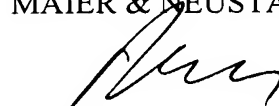
Independent Claim 27 recites “determining, at said network capable client and in advance of finalizing said graphic data for said disk label, a disk label printing area in dependence on a disk category and a disk type selected by a user, wherein during the process of generating said graphic data all instructions recognized as leading to the generation of printing data which cannot be assigned to the determined disk label printing area are blocked.” Thus, independent Claim 27 and all claims depending therefrom are believed to be patentable for at least the reasons discussed above with respect to independent Claim 23.

Accordingly, Applicants respectfully request the rejection of Claims 20-25 and 27-28 under 35 U.S.C. § 102(e), be withdrawn.

Consequently, in view of the above comments, it is respectfully submitted that the outstanding ground for rejection has been overcome and that Claims 20, 22-25, and 27-31 patentably define over the prior art. Claims 20, 22-25, and 27-31 are therefore believed to be in condition for allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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